

MARY KATE SULLIVAN (State Bar No. 180203)  
MARK JOSEPH KENNEY (State Bar No. 87345)  
ADAM N. BARASCH (State Bar No. 158220)  
BERNARD J. KORNBERG (State Bar No. 252006)  
SEVERSON & WERSON, A Professional Corporation  
One Embarcadero Center, Suite 2600  
San Francisco, California 94111  
Telephone: (415) 398-3344  
Facsimile: (415) 956-0439  
anb@severson.com

Attorneys for Defendant  
WELLS FARGO BANK, N.A. AS TRUSTEE  
FOR STRUCTURED ADJUSTABLE RATE  
MORTGAGE LOAN TRUST MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2005-17

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SAN FERNANDO VALLEY DIVISION

ALLANA BARONI,  
Debtor.

Case No. 1:12-bk-10986-MB

Chapter 11

Adv No. 1:13-ap-01071-MB

ALLANA BARONI,  
Plaintiff,  
vs.

**CROSS-APPELLANTS' STATEMENT OF  
ISSUES**

JUDGE: Martin R. Barash

WELLS FARGO BANK, N.A. AS TRUSTEE  
FOR STRUCTURED ADJUSTABLE RATE  
MORTGAGE LOAN TRUST MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES  
2005-17,  
Defendant.

Pursuant to Fed. R. Bankr. P. 8009(a)(2), Cross-Appellant Wells Fargo Bank, N.A. As Trustee For Structured Adjustable Rate Mortgage Loan Trust Mortgage Pass-Through Certificates, Series 2005-17 (“Wells Fargo”) hereby provides this statement of issues to be presented on Wells Fargo’s Cross-Appeal of the Court’s Order Granting Wells Fargo Bank, N.A.’s Motion for an Award of Attorneys’ Fees and Expenses.

1. Did the bankruptcy court err when it ordered that that the award of attorneys’ fees in favor of Wells Fargo should be added to the allowed amount of Proof of Claim 7-1?

2. Did the bankruptcy court err when it ordered that that the award of attorneys’ fees in favor of Wells Fargo shall be subject to treatment and discharge under debtor and appellant Allana Baroni’s confirmed chapter 11 plan?

DATED: November 18, 2016

SEVERSON & WERSON  
A Professional Corporation

By: /s/ Bernard J. Kornberg  
Bernard J. Kornberg

Attorneys for Defendant WELLS FARGO BANK, N.A.  
AS TRUSTEE FOR STRUCTURED ADJUSTABLE  
RATE MORTGAGE LOAN TRUST MORTGAGE  
PASS-THROUGH CERTIFICATES, SERIES 2005-17

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is One Embarcadero Center, Suite 2600, San Francisco, CA 94111.

A true and correct copy of the foregoing document entitled (*specify*): CROSS-APPELLANTS' STATEMENT OF ISSUES will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) November 18, 2016 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Richard L Antognini , rlalawyer@yahoo.com  
•Adam N Barasch anb@severson.com, dgl@severson.com;efiling@severson.com  
•Bernard J Kornberg bjk@severson.com, elw@severson.com  
•Michael S Riley mriley8@aol.com, 10986aa@gmail.com  
• United States Trustee (SV) ustregion16.wh.ecf@usdoj.gov

☐ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state*

*method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 18, 2016	Bernard J. Kornberg	/s/ Bernard J. Kornberg
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>